



#15  
10/22/03  
1624 #82

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Dull, *et al.*

Serial No: 09/845,526 ✓

Filed: April 30, 2001 ✓

For: Pharmaceutical Compositions and  
Methods for Use ✓

) Examiner: Balasubramanian, V.  
)

) Art Unit: 1624  
)

) Docket No: T103 1401.1  
)  
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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:


Applicants hereby voluntarily disclose the an additional reference listed on the attached Form PTO-1449 to the Commissioner for Patents. A copy of the reference listed on Applicants' form PTO-1449 is enclosed herewith.

Applicants further reserve the right to establish the patentability of the claimed invention over any of the listed information should they be applied as references, and/or to prove that some of the cited information may not be prior art, and/or to prove that some of the cited information may not be enabling for the teachings they purport to offer.

This statement should not be construed as a representation that a search has been made, or that the information cited herewith is material, or that there does not exist information more material to the examination of the present Application. The Examiner is specifically requested not to rely solely on the information submitted herein. On the contrary, the Examiner is requested to conduct an independent and thorough review of all available information, and to form independent opinions as to its significance.

It is respectfully requested that the Examiner initial and return copies of the enclosed PTO-1449 and to indicate in the official file wrapper of the above-identified patent application that each item of the cited information has been considered.

Date: 10/9/03

  
\_\_\_\_\_  
David S. Bradin  
Attorney for Applicants  
Registration No. 37,783

Docket: T103 1401.1

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Dull et al.

Serial No.: 09/845,526

Filed: April 30, 2001

For: PHARMACEUTICAL COMPOSITIONS AND METHODS FOR USE

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Examiner: Balasubramanian, V.

Art Unit: 1624

Docket No.: T103 1401.1

**PETITION FOR CONSIDERATION OF AN INFORMATION  
DISCLOSURE STATEMENT AND SUBMISSION OF PETITION FEE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

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No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the information disclosure statement.

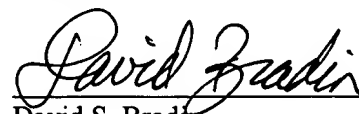
Accordingly, pursuant to 37 C.F.R. §1.97(d), Applicants enclose this Petition and authorize the payment of the Petition fee as set forth in 37 C.F.R. §1.17(i). The Commissioner is hereby authorized to charge the Petition fee of **\$130.00** to Deposit Account No. **09-0528**. The Commissioner is hereby authorized to charge any additional fee(s) and/or credit any overpayments to Deposit Account No. **09-0528**. This Petition for Consideration of an Information Disclosure Statement and Submission of Petition Fee is submitted in duplicate.

10/21/2003 JBALINAH 00000113 090528 09845526

01 FC:1460 130.00 DA

Date: 10/7/03

Respectfully submitted,

  
David S. Bradin  
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Reg. No. 37,783

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## CERTIFICATE OF MAILING

I hereby certify that the following documents are being mailed in an envelope by First Class mail to:

**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

Supplemental Information Disclosure Statement  
PTO 1449 with 1 reference  
Petition for Consideration of an Information Disclosure Statement and Submission of Petition Fee  
Return Postcard

on 10/9/03

Debra Quadrino  
(Typed or printed name of person mailing  
correspondence)

Debra Quadrino  
(Signature of person mailing correspondence)

Serial Number: 09/845,526 Filing Date: April 30, 2001  
Title: PHARMACEUTICAL COMPOSITIONS AND METHODS FOR USE  
Our Reference Number: T103 1401.1



FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY DKT NO. T103 1401.1	SERIAL NO. 09/845,526
		APPLICANT Dull, et al.	
	INFORMATION DISCLOSURE STATEMENT BY APPLICANT	FILING DATE 4/30/2001	GROUP 1624

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		Cheng et al., "Synthesis and Binding of 6,7,9,9-tetrahydro-5H-pyrido[3,4-d]azepine and related ring-opened analogs at central nicotinic receptors", J. Med. Chem., 34:177-190 (1999)

DATE CONSIDERED

**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

RTP 74277v1